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IN THE

Supreme Court Of The United States

October Term, 1963

No. 331

SINCLAIR DAVIS,
R. V. "BOB" SCHULTZ,
LOYD MARTIN FINCH, Suing Jointly, Severally and as Representatives of a Class Similarly Situated, ... Appellants,

versus

CITY OF BOWLING GREEN, KENTUCKY, a Second Class City in the Commonwealth of Kentucky,
WATER-SEWER AND SANITATION COMMISSION of Bowling Green, Kentucky, Composed of JACK HOLLAND, EMORY CARDWELL, FRED AUSTIN, P. P. DUMAS, C. C. COLEMAN and LEONARD HILDRETH, Chairman (Sued Individually, as Official Members and as a Political Subdivision), ... Appellees.

APPEAL FROM THE UNITED STATES DISTRICT COURT,
FOR THE WESTERN DISTRICT OF KENTUCKY,
CIVIL ACTION No. 933, BOWLING GREEN, KY.

MOTION TO AFFIRM JUDGMENT

SQUIRE R. OGDEN
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Attorneys for Appellees

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MOTION TO AFFIRM JUDGMENT

Appellees move the Court to affirm the judgment of the United States District Court for the Western District of Kentucky on the grounds that,

a. No Federal question is involved, and

b. It is manifest that the question on which the decision of this cause depends is so unsubstantial as not to need further argument. Rule 16.

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Attorneys for Appellees

PROOF OF SERVICE.

For appellees, Squire R. Ogden, of counsel, certifies that on the _____ day of August, 1963 he served the foregoing Motion to Affirm Judgment by mailing a copy in the United States Mails, postage prepaid, to the respective appellants and counsel of record, to-wit: (1) Sinclair Davis, 1148 High Street, Bowling Green, Kentucky, R. V. "Bob" Schultz, 807 Fairview, Bowling Green, Kentucky, and Loyd Martin Finch, 278 Longview Drive, Bowling Green, Kentucky; (2) and their attorneys, Hon. John Ward, Danville, Kentucky, Hon. Leland Logan, Myers Building, Bowling Green, Kentucky, Hon. A. O. Scafuro, 2 West Allendale Avenue, Allendale, New Jersey, Hon. C. L. Bell, 601 Center Building, Louisville, Kentucky and Hon. Marion Vance, 103 East Main Street, Glasgow, Kentucky. Certificate of service is made pursuant to Rule 33 (3) (b), Rules of the Supreme Court of the United States.

_____

SQUIRE R. OGDEN

Subscribed and sworn to before me this _____ day of August, 1963, by Squire R. Ogden, of counsel for appellees, to be true and correct.

_____

Notary Public, Jefferson Co., Ky.

My Comm. expires _____ day of _____,

19___.

(Seal)